

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	
	:	
Nicholas Gigliotti,	:	Case No. 17-24466-CMB
	:	
	:	Chapter 13
Debtor	:	

Nicholas Gigliotti,	:	
	:	
	:	Related to Docket No. 59
Movant	:	
	:	
vs.	:	Hearing Date and Time:
	:	
Ronda J. Winnecour, Esquire /	:	
Chapter 13 Trustee,	:	
	:	
Respondent	:	
	:	

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the [MOTION OF THE DEBTOR FOR POSTPETITION FINANCING] [Dkt. No. 59] (“Motion”) filed by Debtor on August 10, 2020. The motion was filed as a Consent Motion. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Motion at Docket Number 59 is **GRANTED** as provided by the terms of this Order. Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

- (a) The total amount of financing **shall not exceed \$25,000.00**; and
 - (b) The monthly payments made under the financing agreement **shall not exceed \$450.00**.
 - (c) The interest rate **shall not exceed 18%**.
- 2. To the extent that the Debtor secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtor shall file:
 - (a) An amended chapter 13 plan; and
 - (b) A report of financing, including details of automobile, if applicable.
- 3. To ensure the prompt and timely payment of the automobile loan, Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.
- 4. Upon the filing of the report of financing, including details of automobile, if applicable, the chapter 13 trustee is authorized to cease making payments to the prepetition automobile lender, on the account of (NONE), if applicable. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection

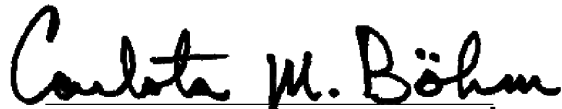
payments for the contract amount so long as sufficient supplemental funds are provided by the Debtor.

5. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the creditor.
6. Debtor shall serve copies of this Order on all creditors eligible to receive distributions through the chapter 13 plan and filed proof of the same with the Court.

Prepared by: Lawrence W. Willis, Esquire

Dated: August 10, 2020

BY THE COURT:

A handwritten signature in black ink that reads "Carlota M. Bohm". The signature is written in a cursive, flowing style.

Carlota M. Bohm, **dmr**
Chief United States Bankruptcy Judge

Case Administrator to Mail to:
Debtor(s)
Counsel for Debtor(s)
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

FILED
8/10/20 3:14 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Nicholas Gigliotti
Debtor

Case No. 17-24466-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dric
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 10, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2020.

db #+Nicholas Gigliotti, 511 Deborah Jane Drive, Pittsburgh, PA 15239-1325

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 10, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
bkggroup@kmlawgroup.com
Jennifer L. Cerce on behalf of Creditor Penn Hills School District jlc@mbm-law.net
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Lawrence W. Willis on behalf of Debtor Nicholas Gigliotti ecf@westernpabankruptcy.com,
urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7